REMARKS

Reconsideration and allowance of this application are respectfully requested in view of the claim amendments made herein and the following remarks.

Claims 101-138 are pending in this application.

The previous claims in the application have been amended as suggested by the Examiner in the Office action in order to overcome the "Claim Objections" in item 2 of the Action, the informalities noted by the Examiner in item 3 of the Action, and the 35 U.S.C. 112, second paragraph rejection of claim 123 also in item 3 of the Action.

Applicant very much appreciates the Examiner's suggestions for correcting the above.

The currently ending claims 1-138 were rejected by the Examiner under 35 U.S.C. 103(a) as follows:

Claims 101-126, 129, 134 and 136 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kavner in view of Kodaira.

Claims 127, 128 130-133, 135, 137 and 138 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kavner in view of Kodaira as applied to claim 123 above, and further in view of Massa.

It is noted that the currently cited Kavner, Kodaira and Massa patents are newly cited in the Action mailed 06/05/2007.

Applicant, respectfully submits that the above 35 U.S.C. 103(a) rejections applied against the current claims 101-138 are in error, as will now be explained.

15

The Claimed Invention

Initially, the Examiner's attention is respectfully directed to the BACKGROUND and SUMMARY OF THE INVENTION on pages 3-5 of applicant's specification which explain the significance features of applicant's claimed invention. A particularly important feature is that applications running on the partitions of a partitioned computer can continue to communicate with each other using standard networking application interfaces as they do when communicating with applications on separate computer systems which normally use external networks between the application for communication therebetween. Such external networks are not provided for communication between the partitions of a partitionable computer system.

As set forth in Applicant's claims (for example, see claim 101) the claimed invention takes advantage of a shared memory region of the computer system shared by applications running on the partitions to establish an emulated network connection which permit applications running on different partitions to communicate with each other via this emulated network connection using standard network interfaces even though there is no physical network therebetween, and further, the established emulated network connection is such that the receiving of a message by an application running on one partition from an application running on another partition via the emulated network connection appears as having been sent via an external physical network even though there is no external physical network.

The newly cited Kavner, Kodaira and Massa patents will next be considered.

Kavner

Kavner discloses a very different system than that claimed by Applicant's invention. Rather than being concerned with the communication between network-configured applications running on the partitions of a partitioned computer system (where external networks are not provided between partitions). Kavner is directed to a system operable for accelerating <u>network</u> interaction between a client and server through intelligent caching, intelligent fetching and intelligent filtering of data. Clearly Kavner's

16

"network" is an external network so that the problem of not having an external network between applications configured for network communications, as in the present invention, is not present in the first instance.

Furthermore, the "emulation" referred to by Kavner (col. 13, lines 31-38) is <u>not</u> for permitting communication between network configured applications running on different partitions so that they can communicate with each other even though there is no external network present, as in applicant's claimed invention, but rather to make it appear to a user that a requested message which is rapidly made available to the user because it was previously prefetched from the server via the network was obtained from the server, even though this was not required because of pre-fetching. Note that transmission over the network occurs in either case, that is, as a result of a previous pre-fetching, or from the network if pre-fetching did not occur.

From the foregoing, it should be evident that Kavner's disclosure and teachings are not sufficient to support the Examiner's rejections of claims 101-138 since Kavner is a necessary component reference required for rejecting the claims. For this reason alone, all of Claims 101-138 are properly allowable.

For the record, the Examiner admits on page 5 of the Action that Kavner is silent with reference to establishing an emulated network connection between said first and second applications through a shared memory region of the computer system shared by said first and second partitions.

Kadaira

Kadaira is also unrelated to the present invention in that it is directed to the very different purpose of providing a multi-processor simulation apparatus for testing and program bugging. Furthermore, Kodaira, like Kavner, does not in the first instance recognize either the problem or the novel implementation for solving the problem set forth in Applicant's claims.

While Kodaira refers generally to the use of a shared memory region in the simulation, it is not seen from the Examiner's references to Kodaira how this shared memory region discloses or teaches the emulated network connection defined in Applicant's claims, particularly since Kodaira does not state that emulation is provided. Furthermore, the combination of Kavner and Kodaira, which are unrelated to each other as well as being unrelated to Applicant's claimed invention, can not reasonably be considered as maing obvious the invention defined by Applicant's claims, particularly in view of the deficiencies of Kavner explained above.

Massa

Like Kavner and Kodaira, Massa likewise provides no disclosure or teaching of the problem addressed by Applicant's claimed invention or its solution. While Massa mentions the use of a shared memory, such obviously can not overcome the deficiencies already pointed out with Kavner and Kodaira.
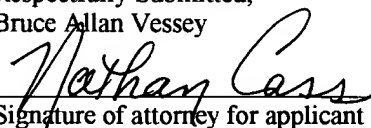
All of the claims 101-138 are thus properly allowable over any possible combination of the cited references.

In view of the foregoing, Applicant's respectfully requests that all of the pending claims 101-138 be allowed and a Notice of Allowance issued.

Respectfully Submitted,
Bruce Allan Vessey

Reg. No. 18,931

Signature of attorney for applicant

Tel: (310) 284-9631
Fax: (310) 284-9634

NATHAN CASS
Type or print name of attorney

18